

COMBINED DECLARATION AND POWER OF ATTORNEY
(Original, Design, Supplemental, Divisional, Continuation, CIP)

As the below named inventor, I hereby declare that:

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

**ALLOIOCOCCUS OTITIDIS OPEN READING FRAMES (ORFs) ENCODING
POLYPEPTIDE ANTIGENS, IMMUNOGENIC COMPOSITIONS AND USES THEREOF**

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b), or (c))

- (a) ☒ is attached hereto.
(b) ☐ was filed on _____ as
 ☐ Application Number
 ☐ Express Mail No. _____, as Application Number not yet known
(c) ☐ was described and claimed in PCT International Application No. _____ filed
 on _____ and as amended under PCT Article 19 on _____ (if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 CFR 1.56(a).

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate of any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed.

- (d) ☒ No such applications have been filed.
(e) ☐ Such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority, check item (e), enter the details below and make the priority claim.

Earliest Foreign Application(s), if any, filed within 12 months (6 months for Design) prior to this U.S. Application

Country	Application No.	Date of Filing (Day, Month, Year)	Priority Claimed 35 USC 119

All Foreign Application(s), if any, Filed More Than 12 Months
(6 Months for Design) Prior to This U.S. Application

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(E))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

60/333,777

November 29, 2001

60/426,742

November 18, 2002

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)
(UNDER 35 U.S.C. 120)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT International filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120**

U.S. Applications		Status (Check One)		
U.S. Applications	U.S. Filing Date	Patented	Pending	Abandoned
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PCT Applications Designating U.S.		
PCT APPLICATION NO.	PCT FILING DATE (Day, Month, Year)	U.S. APPLICATION NO. ASSIGNED (if any)
PCT/US02/36123	November 25, 2002	

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.



Customer Number 25291



Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

Customer Number 25291

DIRECT ALL TELEPHONE CALLS TO:

Name: J. Darrell Fontenot
Tel. No. (845) 602-3144

DECLARATION

I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

1-00
Full name of SOLE OR FIRST INVENTOR: John Calhoun MCMICHAEL

Inventor's Signature _____ Date _____

Country of Citizenship: United States of America
Residence : 186 Canterbury Road, Rochester, NY 14607
Post Office Address: Same as Residence

2-00
Full name of SECOND JOINT INVENTOR: Robert John ZAGURSKY

Inventor's Signature Robert John Zagursky Date 6/30/2004

Country of Citizenship: United States of America
Residence : 569 Fox Hunt Drive, Victor, NY 14564
Post Office Address: Same as Residence

3-00
Full name of THIRD JOINT INVENTOR: David Parrish RUSSELL

Inventor's Signature _____ Date _____

Country of Citizenship: United States of America
Residence : 240 North Pleasant Street, Canandaigua, NY 14424
Post Office Address: Same as Residence

3-00
Full name of FOURTH JOINT INVENTOR: Leah Diane FLETCHER

Inventor's Signature Leah Diane Fletcher Date 6/29/04
oops! Leah Diane Fletcher 6/29/04

Country of Citizenship: United States of America
Residence : 37 Second Street, Geneseo, NY 14454
Post Office Address: Same as Residence

- over -

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PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120

U.S. Applications		Status (Check One)		
U.S. Applications	U.S. Filing Date	Patented	Pending	Abandoned
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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SIGNATURE(S)

Full name of SOLE OR FIRST INVENTOR: **John Calhoun MCMICHAEL**

Inventor's Signature



Date

June 28, 2004

Country of Citizenship: **United States of America**

Residence : **186 Canterbury Road, Rochester, NY 14607**

Post Office Address: **Same as Residence**

Full name of SECOND JOINT INVENTOR: **Robert John ZAGURSKY**

Inventor's Signature

Date

Country of Citizenship: **United States of America**

Residence : **569 Fox Hunt Drive, Victor, NY 14564**

Post Office Address: **Same as Residence**

Full name of THIRD JOINT INVENTOR: **David Parrish RUSSELL**

Inventor's Signature

Date

Country of Citizenship: **United States of America**

Residence : **240 North Pleasant Street, Canandaigua, NY 14424**

Post Office Address: **Same as Residence**

Full name of FOURTH JOINT INVENTOR: **Leah Diane FLETCHER**

Inventor's Signature

Date

Country of Citizenship: **United States of America**

Residence : **37 Second Street, Geneseo, NY 14454**

Post Office Address: **Same as Residence**

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Country	Application No.	Date of Filing (Day, Month, Year)	Priority Claimed 35 USC 119

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FILING DATE

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DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120**

U.S. Applications		Status (Check One)		
U.S. Applications	U.S. Filing Date	Patented	Pending	Abandoned
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		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PCT Applications Designating U.S.		
PCT APPLICATION NO.	PCT FILING DATE (Day, Month, Year)	U.S. APPLICATION NO. ASSIGNED (if any)
PCT/US02/36123	November 25, 2002	

POWER OF ATTORNEY

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☒ Customer Number: 25291

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SEND CORRESPONDENCE TO:

Customer Number: 25291

DIRECT ALL TELEPHONE CALLS TO:

Name: J. Darrell Fontenot
Tel. No. (845) 602-3144

DECLARATION

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SIGNATURE(S)

Full name of SOLE OR FIRST INVENTOR: **John Calhoun MCMICHAEL**

Inventor's Signature _____ Date _____

Country of Citizenship: **United States of America**
Residence : **186 Canterbury Road, Rochester, NY 14607**
Post Office Address: **Same as Residence**

Full name of SECOND JOINT INVENTOR: **Robert John ZAGURSKY**

Inventor's Signature _____ Date _____

Country of Citizenship: **United States of America**
Residence : **569 Fox Hunt Drive, Victor, NY 14564**
Post Office Address: **Same as Residence**

Full name of THIRD JOINT INVENTOR: **David Parrish RUSSELL**

Inventor's Signature *David Parrish Russell* Date *July 2, 2004*

Country of Citizenship: **United States of America**
Residence : **240 North Pleasant Street, Canandaigua, NY 14424**
Post Office Address: **Same as Residence**

Full name of FOURTH JOINT INVENTOR: **Leah Diane FLETCHER**

Inventor's Signature _____ Date _____

Country of Citizenship: **United States of America**
Residence : **37 Second Street, Geneseo, NY 14454**
Post Office Address: **Same as Residence**

STATE OF NEW YORK)
COUNTY OF MONROE) .ss:

10/501282
DT04 Rec'd PCT/PTO 09 JUL 2004

On the 28 day of June, 2004 before me, the undersigned, a
Notary Public in and for said state, personally appeared John A. McMichael
Personally known to me or proved to me on the basis of satisfactory evidence to be the
individual whose name is subscribed to the within instrument and acknowledged to me
that he executed the same in his/her capacity, and that by his/her signature on the
instrument, the individual, or the person upon behalf of which the individual acted,
executed the instrument.

MARIA DISANO
Notary Public, State of New York
Qualified in Monroe County
My Commission Expires 4/2/05

Maria Di Sano
Notary Public